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HEARINGS REGARDING COMMUNIST INFILTRATION
OF LABOR UNIONS—PART II
(Security Measures Relating to Officials of the UERMWA-CIO)

U.S. Congress, House

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FIRST CONGRESS
FIRST SESSION

DECEMBER 5 AND 6, 1949

Printed for the use of the Committee on Un-American Activities



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HEARINGS REGARDING COMMUNIST INFILTRATION OF LABOR UNIONS—PART II

(Security Measures Relating to Officials of the UERMWA-CIO)

MONDAY, DECEMBER 5, 1949

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON
UN-AMERICAN ACTIVITIES,
Washington, D. C.

The subcommittee of one met, pursuant to call, at 3:30 p. m., in room 226, Old House Office Building, Hon. Morgan M. Moulder, presiding. Committee member present: Hon. Morgan M. Moulder.

Staff members present: Frank S. Tavenner, Jr, counsel; John W. Carrington, clerk; Benjamin Mandel, director of research; and A. S. Poore, editor.

Mr. MOULDER. The committee will come to order.

Let the record show that on November 8, 1949, the Honorable John S. Wood, chairman of the Committee on Un-American Activities, ordered, authorized, and directed Morgan M. Moulder, a member of this committee, as a subcommittee thereof, to hold, conduct, and preside over hearings scheduled for this day.

Are you ready to proceed, Mr. Tavenner?

Mr. TAVENNER. Yes. I call as the first witness Mr. Julius Emspak.

Mr. MOULDER. You solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EMSPAK. I do.

TESTIMONY OF JULIUS EMSPAK, ACCOMPANIED BY HIS COUNSEL, DAVID SCRIBNER

Mr. TAVENNER. What is your full name, please?

Mr. EMSPAK. Julius Emspak.

Mr. TAVENNER. Are you represented here by counsel?

Mr. EMSPAK. Represented? No. He is with me. He is not representing me.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. EMSPAK. Yes.

Mr. TAVENNER. Will counsel identify himself for the record?

Mr. SCRIBNER. David Scribner.

Mr. TAVENNER. When and where were you born, Mr. Emspak?

Mr. EMSPAK. August 6, 1904, Schenectady, N. Y.

Mr. TAVENNER. What is your present address?

Mr. EMSPAK. 49 Cliff Side Drive, Tuckahoe 7, N. Y.

Mr. TAVENNER. What is your present occupation?

Mr. EMSPAK. General secretary, United Electrical, Radio, and Machine Workers of America.

Mr. TAVENNER. Are you also a member of the executive committee of that organization?

Mr. EMSPAK. Ex officio; yes.

Mr. TAVENNER. How long have you been an official of the UE?

Mr. EMSPAK. Since its inception.

Mr. TAVENNER. And that is how long ago?

Mr. EMSPAK. Since April 1, 1936, or 1 or 2 days either way.

Mr. TAVENNER. What have been the official positions held by you since that time in UE?

Mr. EMSPAK. Just that.

Mr. TAVENNER. Will you state for the committee, please, in a general way, what your previous employment has been?

Mr. EMSPAK. Well, Mr. Chairman, I began work in the General Electric plant in Schenectady when I was old enough to get working papers, 14 years old, in January 1919, and served my apprenticeship there, working as a tool designer and so on.

Mr. TAVENNER. I would like to ask you a few questions about the organization of the UE. How many districts are there in the United Electrical, Radio, and Machine Workers of America organization?

Mr. MOULDER. How many what?

Mr. TAVENNER. Districts.

Mr. EMSPAK. The constitution prescribes 12.

Mr. TAVENNER. Are there 12 districts?

Mr. EMSPAK. Not functioning; no.

Mr. TAVENNER. A district normally comprises what territory?

Mr. EMSPAK. It is a geographical and industrial entity that we try to develop as a district. They vary in size both as to area and membership.

Mr. TAVENNER. How many locals are there in UE?

Mr. EMSPAK. Perhaps 400. I can't give you the exact number. I just don't have it in my head.

Mr. TAVENNER. Aren't there considerably more than 400 locals?

Mr. EMSPAK. No. Perhaps you are thinking of the contracts with employers.

Mr. TAVENNER. How many rank and file members are there in the UE?

Mr. EMSPAK. We represent in collective bargaining approximately half a million, covered by collective bargaining agreements.

Mr. TAVENNER. You have persons known as organizers, do you not?

Mr. EMSPAK. Oh, of course.

Mr. TAVENNER. What are their functions?

Mr. EMSPAK. To service the local unions, organize the unorganized, help the local unions negotiate agreements, and so on.

Mr. TAVENNER. Are they pretty close to the rank and file of the membership?

Mr. EMSPAK. Yes. They usually live in the communities where they work.

Mr. TAVENNER. How many organizers are there at one time in your union?

Mr. EMSPAK. At one time?

Mr. TAVENNER. Yes.

Mr. EMSPAK. It is not a static number. I suppose 120 or 130.

Mr. TAVENNER. Are they assigned to the various districts?

Mr. EMSPAK. Yes, and locals.

Mr. TAVENNER. How are the organizers selected?

Mr. EMSPAK. Recommendations of people, local unions, individual members, and so on.

Mr. TAVENNER. The local members make recommendations?

Mr. EMSPAK. On occasions they do.

Mr. TAVENNER. Then who does the appointing?

Mr. EMSPAK. The general executive board.

Mr. TAVENNER. The executive board. How many are on the executive board?

Mr. EMSPAK. Twenty.

Mr. TAVENNER. Twenty?

Mr. EMSPAK. Plus three officers.

Mr. TAVENNER. Plus the three officers, of whom you are one?

Mr. EMSPAK. Yes.

Mr. TAVENNER. You have in your organization what are known as international representatives; have you not?

Mr. EMSPAK. Correct.

Mr. TAVENNER. Will you describe the duties of international representatives?

Mr. EMSPAK. They are in effect, in charge of a group of organizers in a given area or district, working in conjunction with the district officials.

Mr. TAVENNER. They assist in negotiating contracts?

Mr. EMSPAK. Yes. Their functions are essentially the same as the functions of organizers except they coordinate the activities of the staff and they are superior to the organizers, if you want to call it that.

Mr. TAVENNER. How many international representatives are there in UE?

Mr. EMSPAK. I can't give you the exact number. I suppose 15 or 20.

Mr. TAVENNER. How are they selected?

Mr. EMSPAK. Out of the staff. The organizers usually are promoted.

Mr. TAVENNER. And they are selected by the executive committee?

Mr. EMSPAK. Yes.

Mr. TAVENNER. You have also what is known as a business agent?

Mr. EMSPAK. They are employees of local unions.

Mr. TAVENNER. How are they selected?

Mr. EMSPAK. The membership of the local usually elects them.

Mr. TAVENNER. Is their appointment or selection ratified or approved by the executive committee?

Mr. EMSPAK. No.

Mr. TAVENNER. How many business agents represent the union at any one time?

Mr. EMSPAK. That I can't answer. I just don't know.

Mr. TAVENNER. Briefly, what are the duties of the executive committee, of which you are a member?

Mr. EMSPAK. Administer the affairs of the national organization.

Mr. TAVENNER. Determine policy of the organization?

Mr. EMSPAK. No; the convention determines policy.

Mr. TAVENNER. Does the executive committee have any function in the negotiating of contracts or wage disputes?

Mr. EMSPAK. No; other than whatever the framework of the collective-bargaining policy happens to be at a given time.

Mr. TAVENNER. In the adjustment of grievances which may occur from time to time, what part do the officials of the UE play in such adjustments?

Mr. EMSPAK. It depends on the nature of the grievance and what the situation may be. By and large that is a routine administrative job that the locals handle themselves. A grievance is something that develops on a job, and most of the grievances are handled within the locals. National officers as such rarely participate.

Mr. TAVENNER. Will you give examples of instances in which the officials or the members of the executive board have functioned in settling or adjusting grievances?

Mr. EMSPAK. Will you repeat that?

Mr. TAVENNER. I say, will you give me an illustration, or cite instances, of when officials or members of the executive board function in the adjustment of grievances?

Mr. EMSPAK. You mean a specific type of case?

Mr. TAVENNER. Yes, and the procedure.

Mr. EMSPAK. Well, I haven't been involved in one in several years, and I would have to search my memory to tell you that. I can go back in history and give you examples of them.

Mr. TAVENNER. Suppose you do that.

Mr. EMSPAK. Understand, I am playing entirely by ear on this one. I recall some years ago a grievance arising in a plant of the General Electric Co. involving two men in a midwestern plant, which could not be settled locally, and it finally landed in the national office. I went out there and talked with the local management, and met with our committee, and had a joint meeting of the committee and management, and called the vice president of the company in charge of manufacturing and had a long conversation with him on the phone, and finally worked out an approach to it and it was resolved. Other times we would have formal meetings set up and carry on regular discussions on the basis of forms that were made out, whether it is a dispute on wages or lay-off or whatever it might be.

Mr. TAVENNER. What other types of services do officials or members of the executive committee render the rank and file in the way of adjustment of grievances?

Mr. EMSPAK. We provide all sorts of information. We provide the information and personnel necessary to work out a given problem. That is our main job.

Mr. TAVENNER. Does that require your going on the job?

Mr. EMSPAK. On occasion we go in the field; yes.

Mr. TAVENNER. Is that frequently done, or infrequently done?

Mr. EMSPAK. Rather frequently. After all, problems are constantly pressing. That is the chief reason for the existence of the organization.

Mr. TAVENNER. The union has a contract with various employers, I suppose, in which your union is recognized as the bargaining agent in any disputes that might arise between labor and management?

Mr. EMSPAK. Yes.

Mr. TAVENNER. How many contracts, roughly speaking, do you have with employers?

Mr. EMSPAK. Approximately 1,500.

Mr. TAVENNER. That covers the work being performed in approximately how many plants?

Mr. EMSPAK. That many plants. No; I take that back; roughly that many plants, but a few more plants than that, because some national agreements cover a number of plants.

Mr. TAVENNER. In negotiating those contracts, and in the settlement of disputes arising under them, do the officers and members of the executive committee visit those plants?

Mr. EMSPAK. No; we don't go into plants, if that is what you mean. We go to local union meetings and have district meetings and national conferences with delegates from those plants, and so on, and work out whatever has to be worked out, whether a collective-bargaining agreement or an approach to a grievance settlement.

Mr. TAVENNER. Are there occasions when the officers and members of the executive committee are required to exercise disciplinary action over lesser officials and rank and file members of the union?

Mr. EMSPAK. I don't know what you mean when you say disciplinary action. We don't operate the way some or most unions do. Essentially—not essentially, but in every instance—the membership ultimately makes the decision on any proposition. Sometimes we may find ourselves where our point of view is not carried; other times it is. That goes on every day.

Mr. TAVENNER. In the event there is an infraction of the rules of your union, what action is taken or may be taken by your committee?

Mr. EMSPAK. The membership of the local union where it occurs, or area where it occurs, makes the decision on that, with a right to appeal to the convention, which takes place every year.

Mr. TAVENNER. You spoke of virtually 1,500 plants which are covered by contracts with the UE. In how many of these plants do you consider there is being done classified or restricted work for the Army, Navy, or Air Corps?

Mr. EMSPAK. I have no way of knowing.

Mr. TAVENNER. You have no way of knowing in which plants restricted work is being done?

Mr. EMSPAK. No.

Mr. TAVENNER. Is it being done in a considerable number?

Mr. EMSPAK. I just can't answer that. I can't give you a sensible answer to that.

Mr. TAVENNER. Does the UE have an official publication?

Mr. EMSPAK. Yes.

Mr. TAVENNER. What is the name of it?

Mr. EMSPAK. UE News.

Mr. TAVENNER. Where is it published?

Mr. EMSPAK. New York.

Mr. TAVENNER. How is it financed?

Mr. EMSPAK. Dues of the membership.

Mr. TAVENNER. Collected through the union?

Mr. EMSPAK. Local unions.

Mr. TAVENNER. And paid by——

Mr. EMSPAK. Paid by the individual members to the local union.

Mr. TAVENNER. And the local union——

Mr. EMSPAK. Transmits a portion of that to the general office.

Mr. TAVENNER. And the general office pays for the financing of the paper?

Mr. EMSPAK. Yes.

Mr. TAVENNER. How is the editor of that paper selected?

Mr. EMSPAK. Officially I am the editor.

Mr. TAVENNER. You are at the present time?

Mr. EMSPAK. Yes.

Mr. TAVENNER. How long have you been editor?

Mr. EMSPAK. Since we set up the union.

Mr. TAVENNER. How were you selected?

Mr. EMSPAK. By the executive board. The constitution provides that one of the paid officers be designated editor.

Mr. TAVENNER. Is the editorial policy of the paper controlled and directed by the executive board?

Mr. EMSPAK. The basic editorial policy is controlled by convention decision.

Mr. TAVENNER. Does the executive board function also in that connection?

Mr. EMSPAK. The function of the executive board is to carry out the affairs of the union between conventions on the basis of the policy decisions of the convention.

Mr. TAVENNER. Mr. Emspak, are you acquainted with Joseph Persily?

Mr. EMSPAK. Mr. Chairman, I would like to say something at this point.

Mr. MOULDER. You mean in response to the question?

Mr. EMSPAK. I will answer the question; yes, in response to the question and as a statement of position.

What I say revolves around two points, one organizationally and another as an individual. Organizationally, my job as an officer of this union is to represent the interest of the membership as they determine it at the annual conventions and at other means they have of getting together and expressing themselves. My job is to administer that aspect to the best of my ability, using one very simple measuring stick, and that is: Does a given policy or action contribute to the well-being of the membership, individually and collectively?

As an individual I would like to say one thing, and that is this: The line of questioning that counsel is developing now is a line that has been used on numerous occasions by this committee and other congressional committees in an attempt to harass the union, its leadership, and its members. It is a line of questioning that goes against my grain as an American. I was born in this country. Everything I am——

Mr. MOULDER. How long will this statement take, Mr. Emspak?

Mr. EMSPAK. About two or three more minutes.

Mr. MOULDER. Proceed.

Mr. EMSPAK. Everything I am, I owe to the rich heritage and tradition of this country. I do not believe that a committee of this kind,

especially in view of the recent record of this committee where it stooped to interfere in the partisan affairs of a local union, or any congressional committee, because of the rich tradition of this country—which, if not perverted, will lead to a greater and better country—I don't think a committee like this or any subcommittee has a right to go into any question of my beliefs, my associations, or anything else. I have a couple of kids. They have a stake in this country, too.

Mr. MOULDER. I want to give you full opportunity to express yourself in answer to the question, but you are making an oration now.

Mr. EMSPAK. It is not an oration. It happens to be a very profound personal feeling.

Mr. MOULDER. What is the question?

Mr. TAVENNER. The question is: Are you acquainted with Joseph Persily.

Mr. MOULDER. How do you spell that?

Mr. TAVENNER. P-e-r-s-i-l-y.

Mr. EMSPAK. Because I have a stake in this country—

Mr. MOULDER. You are not answering the question. He asked you if you are acquainted with this man.

Mr. EMSPAK. I will answer it.

Mr. MOULDER. Are you or not?

Mr. EMSPAK. I was on the verge of answering it.

Mr. MOULDER. If you have any explanation to make you will be permitted to do so after you answer the question.

Mr. EMSPAK. Because of my interest in what is going on these days, because of the activities of this committee—

Mr. MOULDER. Are you going to answer the question?

Mr. EMSPAK. Because of the hysteria, I think it is my duty to endeavor to protect the rights guaranteed under the Constitution, primarily the first amendment, supplemented by the fifth. This committee will corrupt those rights.

Mr. MOULDER. Do you think it corrupts you to answer the question?

Mr. EMSPAK. I certainly do.

Mr. MOULDER. Why does it corrupt you?

Mr. EMSPAK. Your activities are designed to harm the working people of this country. Every action this committee has ever taken has done that. You interfered last summer in the election of a local union at the request of a priest. You know that. You dragged down the prestige of this country.

Mr. MOULDER. You are not going to take over this committee.

Mr. EMSPAK. I don't want to.

Mr. MOULDER. And your statements are preposterous. The purpose of this committee is to expose communism as it exists in this country. What is the question?

Mr. TAVENNER. Are you acquainted with Joseph Persily?

Mr. EMSPAK. For the reasons I stated before, I answered it.

Mr. MOULDER. Then you refuse to answer the question?

Mr. EMSPAK. No. I answered it.

Mr. TAVENNER. Are you or are you not acquainted with Joseph Persily?

Mr. EMSPAK. I answered the question.

Mr. TAVENNER. Your replies are a refusal to comply with the request to answer it?

(Witness confers with his counsel.)

Mr. MOULDER. The record will reveal that you have not answered the question.

Mr. EMSPAK. I have answered it to the best of my ability under the circumstances.

Mr. MOULDER. Any further questions?

Mr. TAVENNER. Yes. In what capacity is Joseph Persily associated with the UE at this time?

Mr. EMSPAK. It is the same question over again. I will give the same answer.

Mr. TAVENNER. Is he an organizer in the UE?

Mr. EMSPAK. Mr. Chairman, it is the same question.

Mr. TAVENNER. You refuse to answer that?

Mr. EMSPAK. I answered it.

Mr. TAVENNER. Are you acquainted with Albert Smith?

Mr. EMSPAK. The same answer applies to that.

Mr. TAVENNER. In other words, you are refusing to answer whether you are acquainted with him or not?

Mr. EMSPAK. I have answered the question as I see the answer.

Mr. TAVENNER. Is he employed by UE?

Mr. EMSPAK. Mr. Chairman, I answered the question.

Mr. MOULDER. Could you tell us who those people are, Mr. Counsel?

Mr. EMSPAK. Excuse me, please.

(Witness confers with his counsel.)

Mr. TAVENNER. Joseph Persily and Albert Smith are the two persons whose names were mentioned.

Mr. MOULDER. Who is Joseph Persily?

Mr. TAVENNER. I thought he was connected with the UE, but I am unable to understand from this witness what the connection is, if any.

Mr. MOULDER. Do our records reveal who he is?

Mr. TAVENNER. I do not know whether they do or not, Mr. Chairman.

Mr. EMSPAK. has Max Helford ever been connected with UE as a field organizer?

Mr. EMSPAK. Mr. Chairman, on these questions, which are all essentially the same, of course, when this hearing was announced according to the press reports, at least, it was announced because this committee presumably was interested in finding out things with reference to individuals in our organization by using whatever means it has at its disposal, and for the purpose of trying to perhaps frame people for possible criminal prosecution.

I don't see how or why any individual should be subjected to that kind of questioning here if he is going to maintain, you know, his feelings on these questions, and I tried to express the feeling before when you interrupted me. I just don't intend, as I said then, to be a party to any kangaroo court proceedings of this committee or any other congressional committee. I think I have the right to reserve whatever rights I have in that respect to whatever appropriate bodies may be set up to deal with questions that come up.

Mr. MOULDER. Do you mean to say you have people in your organization who have information that would subject you to criminal prosecution?

Mr. EMSPAK. No; I don't, Mr. Chairman. As a basic proposition—and it has worked over the years and over the last few months as far as this committee is concerned—a slick job——

Mr. MOULDER. Do you know them or not?

Mr. EMSPAK. That does not concern this committee at all.

Mr. MOULDER. Is it your feeling that to reveal your knowledge of them would subject you to criminal prosecution?

Mr. EMSPAK. No. I don't think this committee has a right to pry into my associations. That is my own position.

Mr. TAVENNER. Is Max Helford at the present time a field organizer for the UE?

Mr. EMSPAK. Mr. Chairman, that is repetition of basically the same question, and the same answer stands.

Mr. TAVENNER. Was Phil Saba originally from local 155?

Mr. EMSPAK. I answered that question.

Mr. TAVENNER. And is he now a field organizer for the UE in district 1?

Mr. EMSPAK. I answered that question and that is the only answer I will give on any of my associations, for the reasons stated.

Mr. TAVENNER. Is Hank Rhine presently an international representative of the UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Jack Gorelick now affiliated with the UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Ernest Moyer a field organizer for UE in the Easton area?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Do you know James Lustig?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is he an international representative of UE?

Mr. EMSPAK. We can go on endlessly like this, I suppose, but the same answer holds.

Mr. TAVENNER. Is Morris Kersten an international representative of UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Fred Haug an international representative of UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Charles Newell an international representative of UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Leo Turner a field organizer in district 6?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Hugh Harley a field organizer for UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Arthur Garfield an international representative of UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Ernest DeMaio presently an international representative of UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Henry Fiering a field organizer for the UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Herbert Hirschberg an international representative of UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is K. M. Kirkendall a field organizer of the UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Robert Harrison a field organizer of the UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is William Santora a field organizer of the UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Marcel Scherer an international representative of the UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Louis I. Sorti a field organizer of the UE?

Mr. EMSPAK. Same answer.

Mr. MOULDER. Same answer is your refusal to answer for the reasons given?

Mr. EMSPAK. I gave specific reasons why I felt I should not participate in this kind of questioning, and I stand by that.

Mr. TAVENNER. Is Philip V. Gelder an international representative of the UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Perez Zagorin a field organizer of the UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Carl Brant connected or associated in any way as an international representative or otherwise with UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Al Clough a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Kermit Kirkendall a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is John Thomas a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Fred Keller a field organizer with UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is John Mitchell a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Fred Sheppart a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is L. B. Slagle a field organizer with UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Martin Sramek a field organizer with UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Robert B. Logsdon an international representative of UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. John Bittman is a field organizer, is he not?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is William B. Elconon an international representative?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is H. M. Martinson a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Anthony DeMaio an international representative of your union?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Irene Berman an international representative?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Allan Bjorklund a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Thomas Foley a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Robert Kirkwood an international representative?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Lee Lundgren an international representative?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is William Mauseth a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is William Sheehan a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Phillip H. Smith an international representative with the UE?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Do you know John T. Bernard?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is he a field organizer for the UE in the Chicago district?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Peter Besch an international representative?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is T. Louis Majors an international representative?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Robert McNaughton a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is John Paradise a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is Nick Tomasetti a field organizer?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Mr. Emspak, have you ever been affiliated with the National Federation for Constitutional Liberties?

Mr. EMSPAK. I answered that, Mr. Chairman.

Mr. TAVENNER. I say, have you ever been affiliated with such an organization?

Mr. EMSPAK. I answered that.

Mr. MOULDER. You mean you refuse to answer for the reasons previously stated?

Mr. EMSPAK. I answered it in the terms I did when I said as far as my associations and affiliations are concerned, that is something a committee of this kind should not pry into.

Mr. TAVENNER. In other words, you do not care to disclose whether you are affiliated with that organization?

Mr. EMSPAK. I answered that.

Mr. TAVENNER. Mr. Emspak, were you not a signer of a statement which hailed the War Department's order for commissions for Communists?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Mr. Emspak, do you know that the National Federation for Constitutional Liberties has been cited as a subversive organization by two Attorneys General, as well as by the Committee on Un-American Activities?

Mr. EMSPAK. It may have been. I don't know.

Mr. TAVENNER. Mr. Emspak, were you a sponsor of the so-called Win the Peace Conference held in Washington, D. C., on April 5 to 7, 1946?

Mr. EMSPAK. Same answer to that.

Mr. TAVENNER. You are acquainted, are you not, with the fact that the organization has been cited as Communist and subversive by the Attorney General and by this committee?

Mr. EMSPAK. Not necessarily. I don't recall.

Mr. TAVENNER. You don't recall, or you weren't concerned enough—

Mr. EMSPAK. I just don't recall.

Mr. TAVENNER. Mr. Emspak, have you ever been associated with the Civil Rights Congress?

Mr. EMSPAK. Again, basically the whole line of questions is the same, so I will say I take the same position I expressed earlier.

Mr. TAVENNER. Are you familiar with the fact that the Civil Rights Congress has also been cited as a Communist-front organization by the Attorney General?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Are you acquainted with Louis Budenz?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Louis Budenz was former editor of the Daily Worker, was he not?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. You are acquainted with the fact, are you not, that on March 18, 1947, in testimony before a committee of Congress, he identified you as a member of the Communist Party?

Mr. EMSPAK. Whatever Budenz does, don't ask me to underwrite. Sure, I am acquainted with him.

Mr. TAVENNER. You know that he did so identify you as a member of the Communist Party. Do you desire to deny it?

Mr. EMSPAK. I have no desire to express any opinion on my associations to this committee, for the reasons I stated.

Mr. TAVENNER. So you decline to deny or affirm that you were a member of the Communist Party?

Mr. EMSPAK. I answered the question.

Mr. TAVENNER. Are you acquainted with James MacLeish?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Is he now president of District 4, United Electrical, Radio, and Machine Workers of America?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. Are you acquainted with Salvatore M. Vottis?

Mr. EMSPAK. Same answer.

Mr. TAVENNER. That is all you care to say about that?

Mr. EMSPAK. Same answer, that is all.

Mr. TAVENNER. On July 25, 1947, Mr. Emspak, Mr. Vottis, in sworn testimony before this committee, stated that he had attended fraction meetings of the Communist Party along with you and other members of the UE. Do you deny or affirm the statement made by Mr. Vottis?

Mr. EMSPAK. I won't discuss it at all other than in the terms I have.

Mr. TAVENNER. Mr. Emspak, Mr. Vottis also testified you attended Communist Party meetings held in his home in Schenectady, N. Y. Do you deny or affirm that statement?

Mr. EMSPAK. I neither deny nor affirm it, Mr. Chairman.

Mr. TAVENNER. You have already testified that from the inception of the organization of UE News you have been its editor. I will make several rather long statements as a basis for questions which I would like to ask you.

Before August 1939 the Comintern and its affiliated Communist Parties attacked Hitler as a warmonger and nazism as barbarism. The American Communist Party and affiliates of the Soviet Communist Party demanded international boycotts and blockades.

A review of UE News for the period mentioned reveals it had the same attitude as the Communist Party toward Hitlerism. For instance, the UE News, in its first issue of 1939, praised the idea of an embargo on Germany, and on January 14 UE News carried a critical story on forced labor in Germany. On March 25 it reviewed Hitler's promises of nonaggression and deplored the rape of Czechoslovakia. But in August 1939 the Hitler-Stalin pact was signed, and Commissar Molotov on that occasion remarked that: "Fascism, after all, is a matter of taste."

A week after the signing of the pact, World War II began when the Nazis invaded Poland. The American Communist Party line quickly reversed itself, along with the Communist Parties of all other countries, and, until June 22, 1941, the Communist press was filled with attacks on American and British leaders. The war was denounced as an imperialist war and President Roosevelt became a warmonger. Aid to Britain and the other countries fighting Hitler were violently opposed, as were proposed amendments to the neutrality law which would allow England to purchase munitions.

The UE News, like the Communist Party, reversed its sentiments concerning the Hitler government and quickly took the position that the war was a profiteers' war. The UE News said that—

Labor in America, watching the sorry sight, is watchful lest our own tories involve us in the conflict.

On September 30, 1939, the UE News, in a full-page editorial entitled "Let's Do Our Fighting Here" declared that—

The war that is going on is no exception to the rule that wars are fought for money. American labor wants no part of this fishy war.

For the rest of the year 1939 the UE News praised the fight of the so-called isolationists in Congress, and on November 11, 1939, attacked Congress for making the United States "the arsenal of the world." The administration was condemned by the UE News as "bomb peddlers."

Mr. Emspak, could you explain why the UE News, of which you were editor at the time, followed the line of the Communist Party and expressed the same views as the Communist Parties of the world both before and after the signing of the Hitler-Stalin pact?

Mr. EMSPAK. UE News followed the line expressed by the membership at its conventions, and the line to the best interests of the working people. I think any time we can do anything at all to fight fascism and war, we are helping the people. The fact that the line followed by UE News coincided with the Communist Party line is purely coincident. Whenever we can do anything to help the laboring people, we do it.

Mr. TAVENNER. So it was a coincidence that the policy of the UE News coincided with the Communist Party line?

Mr. EMSPAK. The policy of UE News is determined by the membership at the conventions.

Mr. TAVENNER. Mr. Emspak, in 1940 the Communist Party's anti-war and isolationist line was continued and intensified. President Roosevelt was vilified as a warmonger and dupe of British imperialism. Throughout the United States the Communist Party held "peace rallies" and "keep America out of war" meetings. There were marches on Washington and numerous petition campaigns. Lend-lease was denounced as were moves to modify the Neutrality Act. Aid to Britain of any kind was opposed. One piece of propaganda, a pamphlet entitled "The Yanks Are Not Coming" which was written by a west coast Communist was of particular interest to the Communist Party.

A review of the UE News for the same period reflects that, like the Communist Party, it attacked President Roosevelt as a warmonger and charged that "the forgotten man has yielded to the man in uniform as the chief object of concern of the national administration."

On January 20, UE News said that "national defense is a gag." Also on January 20, 1940, UE officials in district 6 signed a proclamation declaring that "The Yanks are positively not coming."

Throughout the year, in numerous stories and editorials, UE News denounced United States foreign policy and aid to the allies. On February 24, 1940, UE News devoted a full page to the Communist pamphlet *The Yanks Are Not Coming*, and, like the Communist Party, praised the pamphlet as a history-making publication.

On June 8, 1940, James MacLeish, president of district 4 of the UE, issued a statement which claimed that—

A war hysteria is being developed with terrific speed in the United States. The entire Federal administration, including the President, is giving leadership to this campaign.

The UE News, on July 20, 1940, attacked the Selective Service Act and on September 21, 1940, demanded its repeal.

Mr. Emspak, can you explain how it was that the UE News during the year 1940 followed the program of the Communist Party without deviation in its attitude toward the Second World War?

Mr. EMSPAK. UE News did not follow the line of the Communist Party, Mr. Chairman. UE News followed the line the membership developed for themselves in the UE.

Mr. TAVENNER. Was it the Communist membership in the UE that developed that policy which was the same as the policy of the Communist Party?

Mr. EMSPAK. We have no political tests in our organization. A member expresses any views he wants to, and one member does not make a decision.

Mr. TAVENNER. In 1940 the Communist Party also violently opposed the President's plan to lend United States arms to England and his proposal to transfer the group of over-age destroyers to Britain in return for Atlantic bases.

During 1940, while the Hitler-Stalin pact was still in effect, very little criticism of Hitler and nazism was contained in the Communist press. The Communist Party and the *Daily Worker* repeatedly at-

tacked Sidney Hillman and his work in the Office of Production Management and the War Production Board.

In 1940 the Communist Party was fanatically opposed to President Roosevelt and ran its own Presidential candidate, Earl Browder. On April 8 and 9, 1940, Germany invaded Norway and Denmark. The Communists defended this invasion on the ground that Norway and Denmark were provoking Hitler. On June 15, 1940, Russia invaded Latvia, Estonia, and Lithuania, and occupied these Baltic countries. The Communist Parties throughout the world hailed the invasion of the three countries by the Soviets as a great military victory for Stalin.

On September 27, 1940, Germany, Italy, and Japan signed the Axis Pact. The Communist line was that this pact was justified because of the imperialist designs of England and the United States.

During the same period, the UE News opposed the transfer of over-age destroyers to England, particularly in its issue of September 14, 1940. On December 28, 1940, it attacked the President's proposal to lend England a quantity of American arms. During 1940 the UE News reflected the Daily Worker and the Communist press, printing no more than one or two small items speaking harshly about Hitler and nazism.

On October 19, 1940, the UE News attacked Sidney Hillman's work in the national-defense agencies, despite the fact that Hillman at the time was the president of another CIO union. Throughout the year 1940 the UE News attacked the President, despite its endorsement of the previous year of the third term. During the same year, like the Daily Worker, it failed to criticize the German invasion of Norway and Denmark. Strangely, there was no comment from the UE officials or from the UE News on the Soviet occupation of the Baltic countries. UE News and the UE officials at no time during the year 1940 criticized the formation of the Fascist Axis which was created on September 27, 1940.

Mr. Emspak, could you explain how the UE News adhered to the same line as the Communist Party, changing each time the Communist Party changed?

Mr. EMSPAK. Of course, I denied that it adhered to it. I told you before, and repeat again, that whatever appears in that paper, whatever appeared then or now, appears as a result of whatever the basic policy of the union as such is. It certainly is not an organ of the Communist Party, nor are your attempts to prove it so by these long statements going to succeed, because it just isn't so.

Mr. TAVENNER. The most active Communist front during the first 7 months of 1939 was the American League for Peace and Democracy. However, when the Hitler-Stalin Pact was signed in August 1939, the American League for Peace and Democracy, of which I believe you were a member, was dissolved promptly.

Immediately thereafter the Communists created the American Peace Mobilization, and the White House was picketed with signs declaring "The Yanks Are Not Coming," and the American Peace Mobilization sent numerous delegations to Washington to exert pressure on Congressmen who agreed with President Roosevelt on aid to England and the Allies.

Mr. Emspak, officials of the UE were prominent in the American League for Peace and Democracy, and when the League was dissolved

these officials promptly switched to the new Communist creation called the American Peace Mobilization.

Can you explain why the UE in this particular instance followed the same line as the Communist Party?

Mr. EMSPAK. Well, Mr. Chairman, I just don't get this. I do, of course, in a very real way, but basically you are asking the same recurring question as to whether the UE News was an organ of the Communist Party, which it isn't. It reflects the views of the UE membership, and that is that.

Mr. TAVENNER. In other words, you contend there was no influence or pressure brought to have the editorial policy of the UE News follow the Communist Party line, though it did follow it?

Mr. EMSPAK. Not only do I contend it, I assert it didn't.

Mr. TAVENNER. In 1941 the Communist Party line regarding the Second World War was a continuation of its 1940 position. The national-defense program was constantly condemned, aid to England was violently opposed, and the Communist Party and its front organizations lobbied against lend-lease, against the loan of arms to England, and every other move in and out of Congress designed to assist England and stop the Nazi world conquest.

The UE News on January 11, 1941, attacked the President's message to Congress asking for increased defense funds and aid to the Allies. Also on January 11, the UE News, on page 4, carried an article in which you attacked Sidney Hillman for serving as a member of the National Defense Advisory Committee.

On January 25, 1941, the UE News devoted a full page to the American Peace Mobilization, which had you as a member of its national council.

The American Peace Mobilization, even on the very day that Hitler attacked Russia, was picketing the White House. On June 17, 1941, just 5 days before Hitler's invasion of Russia, James MacLeish, president of district No. 4 of the UE, attacked the Defense Mediation Board, and on June 7, 1941, on page 3 of the UE News, district No. 6, Council of the United Electrical Workers, declared:

It is becoming clearer every day that the heat is on to wind up a drive to push us into war, being conducted by big business interests who stand to profit and by the administration of Franklin D. Roosevelt and the Republican and Democratic Parties.

Mr. Emspak, can you explain how it was that you and your organization's newspaper, the UE News, followed the Communist Party line which I have outlined in my question?

Mr. EMSPAK. UE News did not follow the Communist Party line. UE News is not the organ of a foreign power. UE News is a trade-union paper governed by the policies of the membership of the union.

Mr. TAVENNER. Also prior to the date of the attack by Germany upon Russia, the Communists in the United States were in favor of strikes in defense industries. For instance, when Wyndham Mortimer, a known Communist, called a strike at the crucial North American Aviation plant at Inglewood, Calif., the Communist Party and its press gave it their full support. The President eventually ordered Government seizure of this important defense plant; and, as a result, the Communist press said that this move was outright fascism and meant the end of civil liberties in this country.

Despite the fact that Phil Murray instructed the strikers to return to work, the UE supported the North American strike. On June 14, 1941, the UE News condemned Government intervention and declared, editorially:

As war fever reaches a new high, more and more openly the forces of the Government are being turned to the suppression of the people's democratic liberties for the announced purpose of "defending democracy."

You, yourself, proclaimed that the Government action—
has parallel only in the blackest pages of history in this country.

Mr. Emspak, again I ask you how it was that you and the organ of your organization supported the Communists in the North American Aviation strike?

Mr. Emspak. We supported the North American Aviation strike, but we didn't support the Communists. I said then, and I repeat again what I said then about the use of troops in a labor dispute. Our country was not at war. It was 2 years before our country was at war.

Mr. TAVENNER. On June 22, 1941, Hitler invaded Russia, and the Communist Party, within the space of 2 hours, completely reversed the party line. The war they had been calling an "imperialist" war became a "people's" war and a "great democratic crusade." Hitler, for whom the Communists had no harsh words for the past year and a half, became a raving beast. The President, who was reviled as a warmonger on June 21, on June 22 became a great democratic leader. The Communist opposition to aid for England and the Allies was transformed into a tremendous campaign for all-out assistance to every nation lined up against Hitler. The class struggle was suspended by the Comintern, and Earl Browder publicly declared that he was willing to work with J. P. Morgan and the National Association of Manufacturers.

Mr. Emspak, the line of the UE News and of its officials after the invasion of Russia by Hitler was changed to the same line as that of the Communist Party. For instance, Local 1224, in the first issue of UE News following the invasion of Russia, passed a resolution demanding immediate aid to the Soviet Union. District 4, in the July 5, 1941, issue of UE News, went on record demanding that "the Soviet Union, Great Britain, and all others sincerely fighting the Fascist Axis be accorded the fullest assistance to avail themselves of our industrial or material resources."

On July 10 in UE News, district No. 1 council announced that it "supports without reservation all-out aid for Britain, China, and the Soviet Union."

Also, the Communist Party said that nothing must interfere with war production. Strikes were outlawed, and Earl Browder said he could see no reason why the wartime amity between labor and employers could not continue.

The UE on July 26, 1941, proposed that President Roosevelt should "immediately call a national conference of labor, agriculture, Government, and industry."

Mr. Emspak, can you explain how it was that prior to the attack by Germany upon Russia the UE supported strikes in defense plants the same as the Communist Party, whereas after the attack by Hitler upon Russia the UE, the same as the Communist Party, opposed strikes in defense industries?

Mr. EMSPAK. The UE didn't take any position on strikes as such until after Pearl Harbor. Then we made a commitment to our Government on strikes, and I was a party at the meeting of the industry-labor conference that worked out that agreement.

Mr. TAVENNER. After the attack by Germany upon Russia, the Communist Party uttered hardly a word of criticism of President Roosevelt, who, until June 22, was branded an enemy of the working class and a destroyer of peace.

On October 25 the UE News printed a three-column story asking for complete repeal of the Neutrality Act which had been advocated sometime before by President Roosevelt and opposed by both the Communist Party and the UE News.

Mr. Emepak, can you explain why this shift in the sentiment of the UE occurred regarding the repeal of the Neutrality Act?

Mr. EMSPAK. Whatever the position of the union was at the time, I suppose.

Mr. TAVENNER. On October 25, 1941, the UE News devoted a whole page to a plan developed by Joseph Selly and the American Communications Association to keep spies out of the country. Can you explain why it is that when this committee is trying to keep spies out of the country the UE refers to its efforts as "Red baiting"?

Mr. EMSPAK. Because that is what it is. It is union-busting. It is antipeople. It is everything that is bad in this country. It is more than "Red baiting." It is the first step of fascism.

Mr. TAVENNER. Do you feel that we should permit spies to come in this country?

Mr. EMSPAK. No; I don't, and you know I don't.

Mr. TAVENNER. In the latter part of the year 1941 the Communist Party from time to time admitted that England and her allies had actually been fighting fascism before Russia was invaded. However, prior to Russia's entry into the war, England was engaged in fighting an "imperialist" war, according to the Communist Party line. I think I have pointed out that the UE also followed this line.

In September 1941, the UE convention went on record and said that England was worthy of securing aid from the United States, and one of the resolutions adopted at the convention stated that "the tremendous sacrifices being made by the British, Russian, Chinese, and other peoples in this resistance to Hitlerism are sacrifices made on our behalf as well as their own, and contribute directly to the defense of our country." This resolution asked that all possible aid be given to Great Britain, the Soviet Union, China, and other nations resisting Hitlerism.

Mr. Emepak, can you explain why it was that the United Electrical Workers' convention adopted such a resolution as this, whereas prior to the Russian invasion by Germany the UE was opposed to aiding Britain and its allies?

Mr. EMSPAK. I suppose the people changed their minds.

Mr. MOULDER. I didn't hear your answer.

Mr. EMSPAK. I said I suppose the people changed their minds. We had a convention. There was a big "hash-over," I suppose, and they came to a certain decision, and that is that.

Mr. MOULDER. Any further questions, Mr. Tavenner?

Mr. TAVENNER. I think that is about all. I would like to release the witness and call him back. I want to ask him a few questions after questioning another witness.

Mr. MOULDER. I do want to make this statement in reply to the statements you have made about this committee, Mr. Emspak. It is the function of this committee to expose communism and un-American activities. An appearance before this committee does not deny you any constitutional rights or privileges, nor have you been accused of anything. Your action before this committee discloses a flagrant attitude toward this committee.

You made reference to an investigation by this committee of a CIO union. I was at that hearing, and it was disclosed that candidates for delegates to your national convention were, by inferences they would not deny—and one, Whisner, admitted he was a delegate to the Soviet Union and that other members of the union had been sent as delegates to Friends of the Soviet Union. Just what influence did the disclosure of those facts by this committee have on the election?

Mr. EMSPAK. That hearing was held when a priest by the name of Father Rice called a member of this committee and, at the request of the priest, who was interested on a low partisan level, this committee held the hearing. Whereas the hearing was intended to have an unfavorable reaction on the election to be held, one of the people here before this committee got the second highest vote cast.

Mr. MOULDER. It was the members of the union who voted for the delegates?

Mr. EMSPAK. Yes.

Mr. MOULDER. How could this committee affect the election?

Mr. EMSPAK. By the smear job this committee attempted to do.

Mr. MOULDER. Do you think it was a smear to expose that candidates were delegates to the Soviet Union?

Mr. EMSPAK. You have Congress interfering in a local union election.

Mr. MOULDER. It was the members of the union who voted and they had a right to exercise their own judgment.

Mr. EMSPAK. They did. One of the boys here got the second to highest vote. It shows the efforts of the committee were wasted.

Mr. MOULDER. You don't want the average union member to know anything about the Communist affiliations officers of the union may have, if they do have such affiliations?

Mr. EMSPAK. I don't care, and that is not the concern of the membership. The concern of the membership is who is doing a job for them.

Mr. MOULDER. Don't you believe that the rank and file of any union should have knowledge of communistic activities within the union, and should have an opportunity to be so informed, and that this committee is performing a service when it does so expose such communistic activities within a union?

Mr. EMSPAK. Of course this committee is not performing any service for organized labor.

Mr. MOULDER. Do you think it is wrong for this committee to expose the fact that Communists are trying to take over organized labor? Are you in favor of Communist control of organized labor?

Mr. EMSPAK. I am not, and I am not in favor of a religious group taking control.

Mr. MOULDER. Don't you think if the Communists gained control of organized labor, they would lose the privileges they have to bargain freely?

Mr. EMSPAK. I don't know. That is a hypothetical question.

Mr. TAVENNER. Mr. Emspak, you recently signed a non-Communist affidavit which you filed with the National Labor Relations Board?

Mr. EMSPAK. That is right.

Mr. TAVENNER. When was this affidavit signed?

Mr. EMSPAK. The convention had a session in September and the convention made a decision that the organization comply with the Taft-Hartley requirements in order to avail itself of whatever facilities were available, and on the basis of that decision the officers signed the non-Communist affidavits. The exact date, I don't recall. We had an acknowledgment from the Board, but the affidavit speaks for itself.

Mr. TAVENNER. Since that time you have been expelled from membership on the executive board, have you not?

Mr. EMSPAK. No.

Mr. TAVENNER. You have not?

Mr. EMSPAK. You mean of CIO?

Mr. TAVENNER. Yes.

Mr. EMSPAK. No; we withdrew.

Mr. TAVENNER. You withdrew?

Mr. EMSPAK. Yes; the day before. The day that the original subpoena was dated, by the way, by the purest coincidence.

Mr. TAVENNER. I assure you that must have been a coincidence.

Mr. EMSPAK. Yeah.

Mr. TAVENNER. At this time are you a member of the Communist Party?

Mr. EMSPAK. I answered that when I said the affidavit speaks for itself.

Mr. TAVENNER. Is that all the answer you care to give?

Mr. EMSPAK. I should think that is plenty.

Mr. TAVENNER. The affidavit spoke as of the date you gave it some months back, but you are not willing to speak now as to what you are?

Mr. EMSPAK. I understand an affidavit to be an affidavit, a document that is binding when one undertakes to subscribe to it. I further understand what the motives of this committee are, to establish a beautiful frame to hang people who try to comply with the law. O. K. The affidavit is binding, and that is that.

Mr. TAVENNER. That is all you have to say?

Mr. EMSPAK. I think that answers the question fully and completely.

Mr. TAVENNER. Were you a member of the Communist Party at any time before you signed the affidavit?

Mr. EMSPAK. That I will answer the same way I did about an hour ago.

Mr. TAVENNER. Have you ever paid Communist Party dues?

Mr. EMSPAK. I answered that.

Mr. TAVENNER. Have you ever signed an application to join the Communist Party?

Mr. EMSPAK. I answered that.

Mr. TAVENNER. Have you ever registered as a member of the Communist Party?

Mr. EMSPAK. I answered that.

Mr. TAVENNER. Did you, as a member of the Communist Party, attend the trial of Earl Browder at Communist Party headquarters in New York City?

Mr. EMSPAK. I answered that.

Mr. MOULDER. You mean you refuse to answer for the same reasons you gave at the beginning?

Mr. EMSPAK. That is correct. I answered the best way I know how.

Mr. TAVENNER. You know that Mr. Budenz testified you did attend the trial of Earl Browder?

Mr. EMSPAK. Mr. Budenz testified to a lot of things. I read about it.

Mr. TAVENNER. Is it true or not?

Mr. EMSPAK. I answered that.

Mr. TAVENNER. That is all you have to say?

Mr. EMSPAK. Yes.

Mr. TAVENNER. Do you recall the film produced by UE, Deadline for Action?

Mr. EMSPAK. I do recall it very well.

Mr. TAVENNER. What was the result of the showing of that film?

Mr. EMSPAK. Apparently a major corporation in this country, in conjunction with an agency of the Government, succeeded in framing a man named Marzani and sending him to jail because that film happened to touch a tender spot with regard to the large corporations, because it happened to be an effective film.

Mr. TAVENNER. I have attempted to trace here the line of the UE News in comparison with the Communist Party line. I want to give you an opportunity to disavow, if you so desire, any of the statements I referred to from UE News, of which you are editor.

Mr. EMSPAK. Anything that is printed is printed. I am not avowing or disavowing anything. My memory is not that good that I can recall everything you read. Whatever position the UE News took reflected the views of the UE, and that is that.

Mr. TAVENNER. I would like to ask that the witness be available tomorrow morning.

Mr. MOULDER. You are excused until tomorrow morning.

I wish to say I have no religious prejudices whatsoever. This committee was not influenced by any church to conduct any investigation into local union affairs. I am strongly in favor of organized labor, and most of the members of this committee are, and we are not doing anything to hamper organized labor. We feel it is the duty of this committee to protect labor unions against Communist infiltration, and that we will try to do.

You are excused until 10 o'clock tomorrow morning.

Mr. SCRIBNER. Isn't it possible to conclude today? We have been here since 10 o'clock this morning. The fact there were other witnesses before the committee is not the fault of this witness. He was subpoenaed for 10:30 this morning, and I think we should conclude today instead of adjourning and possibly getting ideas overnight to go into the next day.

Mr. TAVENNER. I take exception to counsel's statement that we desire to adjourn so as to get ideas to go into tomorrow. It was my plan to finish examining this witness after I examined Mr. Matles. That was the plan and is still the plan.

Mr. MOULDER. Could we go ahead and finish today?

Mr. TAVENNER. Yes. It is now 5 o'clock, but we can go ahead.

Mr. MOULDER. Very well.

Mr. TAVENNER. Mr. Matles, please.

Mr. MOULDER. Will you hold up your right hand and be sworn. You solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MATLES. I do.

TESTIMONY OF JAMES J. MATLES, ACCOMPANIED BY HIS COUNSEL, DAVID SCRIBNER

Mr. TAVENNER. Will you state your full name?

Mr. MATLES. James J. Matles.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. MATLES. I am.

Mr. TAVENNER. Is it the same counsel as accompanied the previous witness?

Mr. MATLES. Yes.

Mr. TAVENNER. You are employed by UE and hold a position with the UE?

Mr. MATLES. That is right.

Mr. TAVENNER. How long have you been associated with the UE?

Mr. MATLES. Since 1927.

Mr. TAVENNER. What is your present address?

Mr. MATLES. 193 Clinton Avenue, Brooklyn, N. Y.

Mr. TAVENNER. Will you state briefly to the committee your previous record of employment?

Mr. MATLES. I was working as a mechanic for a number of years prior to my position with the union.

Mr. TAVENNER. When and where were you born?

Mr. MATLES. Rumania, February 1909.

Mr. TAVENNER. What position do you hold in the UE?

Mr. MATLES. Director of organization.

Mr. TAVENNER. What other positions have you held since as a member of UE?

Mr. MATLES. No other position.

Mr. TAVENNER. Have you held any other position in a labor organization?

Mr. MATLES. I was grand lodge representative of the I. A. of M., International Association of Machinists.

Mr. Chairman, may I be excused from these pictures while I am testifying?

Mr. MOULDER. Yes; if the witness so desires. No further pictures will be taken.

Mr. TAVENNER. Are you acquainted with Esther Tice?

Mr. MATLES. Mr. Chairman, I have listened to Mr. Emspak's testimony, and I am sure you are trying to save time. I do not propose to discuss here my associations or my political affiliations, under the

guaranties given to me by the first and fifth amendments to the Constitution, and I am going to try to save as much time for you as I can.

Mr. TAVENNER. You are rather jumping at conclusions, I think.

Mr. MATLES. I get it from what you have said that you are trying to save time, so I am helping you along.

Mr. TAVENNER. I am not asking you about the political affiliations of Esther Tice.

Mr. MATLES. I don't want to discuss my associations.

Mr. TAVENNER. No matter what type of business associations they may be in the affairs of the union, you will not discuss them?

Mr. MATLES. That is right, because I studied the testimony before this committee, and I find you are trying to use witnesses as finger men.

Mr. TAVENNER. Where is Esther Tice employed?

Mr. MATLES. I have answered that question.

(Witness confers with his counsel.)

Mr. MATLES. Mr. Chairman, may I have 1 minute on this question?

Mr. TAVENNER. You mean to consult with counsel?

Mr. MATLES. No. I have consulted with counsel and desire 1 minute to clarify my point of view.

Mr. MOULDER. Very well.

Mr. MATLES. The purpose of this hearing was announced by a representative of this committee, and that was to investigate the activities of officers of the union who have complied with the Taft-Hartley law. As we have known this committee for 12 years, the only reason you would assign yourself such police functions would be to frame us up and smear our organization. I feel Mr. Murray and Mr. Carey had something to do with persuading you to hold these hearings.

Mr. MOULDER. I think you are wrong about that. I don't know either of them. Do you refuse to answer the question?

Mr. MATLES. I have given the basis for answering the question the way I did.

Mr. TAVENNER. Which, of course, is no answer at all.

Mr. MOULDER. You can give any explanation you wish, but don't make a speech.

Mr. MATLES. Do you really think I made a speech, Mr. Congressman?

Mr. MOULDER. Proceed.

Mr. TAVENNER. Mr. Matles, have you ever been a member of the International Workers Order?

Mr. MATLES. I have answered that question.

Mr. TAVENNER. When?

Mr. MATLES. Just before.

Mr. TAVENNER. What is it? Were you or were you not?

Mr. MATLES. I will not discuss my affiliations, my associations, or my political beliefs, on the grounds I stated before.

Mr. TAVENNER. Are you acquainted with the fact that that organization is cited as Communist and subversive by the Attorney General of the United States?

Mr. MATLES. I am not interested in that.

Mr. TAVENNER. Are you acquainted with that fact or not? Regardless of whether you are interested, are you acquainted with the fact?

Mr. MATLES. No; I am not acquainted with it. I read something in the newspapers about organizations being put on a subversive list by the Attorney General. I didn't pay any attention to that.

Mr. TAVENNER. In 1933 you were an organizer for the Steel and Metal Workers Industrial Union, were you not?

Mr. MATLES. My answer is the same.

Mr. MOULDER. You refuse to answer for the reasons stated, that it violates your rights provided under the Constitution?

Mr. MATLES. That is right.

Mr. MOULDER. What are those provisions, do you know?

Mr. MATLES. I believe the first and fifth amendments.

Mr. MOULDER. In what respect do they justify your refusal to answer the question?

Mr. MATLES. I am so advised by counsel.

Mr. SCRIBNER. I will be happy to give the basis for that if you wish, Mr. Congressman.

Mr. TAVENNER. Was James Lustig also employed as an organizer for the Steel and Metal Workers Industrial Union at the same time you were?

Mr. MATLES. My answer is the same.

Mr. TAVENNER. Mr. Matles, I show you a copy of the Daily Worker dated November 6, 1933, and point out to you that on page 2 under the heading "Thirty-eight workers' organizations endorse Communist Party program" your name appears as Secretary of the Steel and Metal Workers Industrial Union, along with that of James Lustig, as organizer of the Steel and Metal Workers Industrial Union. This article states:

Only the Communist Party as the party of the working class represents the interests of the entire working population, stands squarely on the principle that the provision of adequate food, clothing, and shelter and the defense of the rights and living standards of the workers are the primary issues in this campaign.

I show you that article and ask if you still subscribe to that statement?

Mr. MATLES. Mr. Chairman, I have on many occasions discussed this subject before other congressional committees. I do not care to discuss it before this committee.

Mr. MOULDER. You refuse to answer?

Mr. MATLES. For the reasons I have previously given. I will not discuss my views, my affiliations, or my associations.

Mr. TAVENNER. Mr. Matles, Louis F. Budenz, a former official of the Communist Party of the United States, testified before the House Labor Committee that you, in 1936, were an important member of the State and National Trade Union Commission of the Communist Party. Do you wish to deny or affirm the testimony of Mr. Budenz on that?

Mr. MATLES. I wish to answer in the same manner I answered the previous question.

Mr. TAVENNER. On July 25, 1947, Salvatore M. Vottis testified before the Committee on Un-American Activities that you were a member of the Communist Party and that he had attended Communist Party meetings with you. Do you wish to deny or affirm this statement made by Mr. Vottis?

Mr. MATLES. I would like to answer in the same manner. I wish to state I have discussed this question on previous occasions before other congressional committees.

Mr. TAVENNER. On August 11, 1949, Joe Zack, also known as Joseph Kornfeder, testified before this committee that you were a member of district No. 2 of the Communist Party in New York State in

1931 and 1932. Do you wish to deny or affirm that testimony of Mr. Zack?

Mr. MATLES. I would like to answer in the same manner. I have discussed that subject before congressional committees in the past.

Mr. MOULDER. You mean you have answered the question before other committees but you won't answer before this committee?

Mr. MATLES. I fully realize the type of committee I am present before, testifying before.

Mr. TAVENNER. Did you previously testify with regard to testimony of Joe Zack that you were a member of district No. 2 of the Communist Party in New York State in 1931 and 1932?

Mr. MATLES. I am saying that during the past 12 years this and other committees of Congress have been warming up this type of question all over again, and the answers I have given before other committees are the best I can give, and I do not care to discuss the question before this committee. I am trying to save some taxpayers' money.

Mr. TAVENNER. What I am asking is whether you answered this question before other congressional committees?

Mr. MATLES. This stuff has been warmed up for 12 years and is getting tiresome.

Mr. TAVENNER. With regard to Mr. Kornfeder's testimony?

Mr. MATLES. With regard to that question.

Mr. TAVENNER. Mr. Zack also testified that upon his initiative you were assigned to be secretary of the New York Committee of the Steel and Metal Workers Industrial Union. Is that correct or not?

Mr. MATLES. My answer is the same.

Mr. TAVENNER. Mr. Zack also testified that in 1931 or 1932 you were assigned to represent the district committee of the Communist Party, New York District, to a number of Communist Party fractions such as the Communist Party fraction in the International Typographical Union, Local No. 6; the Communist Party fraction in the food workers' union; and a number of other fractions in the Communist Party within other labor unions. Do you wish to deny or affirm that testimony?

Mr. MATLES. Show me the purpose of all these questions. Is it to show on the record a smear that Mr. Murray and Mr. Carey can use in the coming elections? Are you cooperating to that extent?

Mr. MOULDER. You have an opportunity to clear yourself, to refute or deny the allegation.

Mr. MATLES. I wouldn't attempt to clear myself before this committee. I consider that an insult.

Mr. MOULDER. If what he says is not true, why don't you deny it?

Mr. MATLES. I have discussed this question before other committees, and it is tiresome, and I do not care to discuss it before this committee. I heard you say you are a strong labor man. Not when you voted for the Wood bill, and to keep the Taft-Hartley law.

Mr. MOULDER. I voted for the repeal of the Taft-Hartley law.

Mr. MATLES. You voted for the Wood bill.

Mr. MOULDER. You look up the record.

Mr. MATLES. I have looked it up. Six out of the eight members of this committee have done so.

Mr. TAVENNER. You have not answered the question.

Mr. MATLES. I answer it in the same manner I answered the previous question.

Mr. TAVENNER. You may stand aside for the present. I may want to call you back for further questions.

I now call Mr. Emspak.

TESTIMONY OF JULIUS EMSPAK—Recalled

Mr. TAVENNER. Mr. Emspak, I asked you a number of questions about your duties and about the services rendered by you and other officers of the UE to the rank and file in the matter of handling grievances, and how there were occasions when you went to the local community and worked on those problems.

Now I would like to revert again to that subject for a few minutes and ask you several other questions.

In the event of grievances, a business agent, in endeavoring to settle a dispute between labor and management, has the right, has he not, under certain circumstances, to make an inspection on the job?

Mr. EMSPAK. Not necessarily.

Mr. TAVENNER. Not necessarily?

Mr. EMSPAK. No.

Mr. TAVENNER. But he has that right?

Mr. EMSPAK. No. It depends on the type of local collective bargaining agreement that is in existence. In some cases they do, and others they do not.

Mr. TAVENNER. In the instance of the contract with General Electric does he have that right?

Mr. EMSPAK. It does not permit inspection by the business agent.

Mr. TAVENNER. It does not?

Mr. EMSPAK. No.

Mr. TAVENNER. Are not officers of UE permitted to make inspections on the job?

Mr. EMSPAK. No. What happens on the rare occasions it is used, a joint committee of management and local union representatives may go look at a specific job.

Mr. TAVENNER. Let me read you paragraph 4 of the contract:

In those cases where it is mutually agreed by management and local representatives that an inspection of the job would be helpful in settling the case, a joint committee of local and management representatives shall be allowed to make an inspection of the job. Local representatives may include the business agent or his assistant or officers of the local.

So both the business agent and officers of the union would have that right?

Mr. EMSPAK. Possibly, but it is not automatic. Every member of the local under that provision, has the right.

Mr. TAVENNER. Mr. Emspak, the union officers also have the right, do they not, if they are so minded, to precipitate a strike?

Mr. EMSPAK. No.

Mr. TAVENNER. They may do it ostensibly for trade-union purposes, and it may be done actually even for a foreign power?

Mr. EMSPAK. No. That is a completely misleading, and a calculatedly misleading, statement. In the first place, so far as this union is concerned, no officer has a right to call a strike at any time, nor any

group of officers. This organization happens to be one where a basic decision of that kind is reserved to the members and the members alone.

Mr. TAVENNER. But that would depend on the influence the leadership has on the rank and file?

Mr. EMSPAK. It does not depend on any individual, and it depends on what the issue is.

Mr. TAVENNER. Mr. Emspak, I will ask you this question: Have you, as an officer of UE, or have any of the other officers of UE, to your knowledge, been denied the right to participate in the negotiation of wage disputes, by security officers of the Army, Navy, or Air Corps?

Mr. EMSPAK. We never have been denied that right. At least, I never have. The question has never come up.

Mr. TAVENNER. Have you ever been denied, by such security officers of the Army, Navy, or Air Corps, all access to any plants?

Mr. EMSPAK. I haven't had occasion to ask, and haven't been in any.

Mr. TAVENNER. So far as you know, you neither have been cleared nor barred?

Mr. EMSPAK. So far as I know I am just an ordinary guy who has had no occasion to go in a plant. I haven't been in a plant, I guess, for 10 years.

Mr. MOULDER. Did you testify to your previous employment before going in the newspaper business?

Mr. EMSPAK. I am not a newspaperman. I am an officer of the union, and the constitution of the union requires that one of the paid officers be designated editor in order to have it hook up to the organization.

Mr. MOULDER. Prior to your official position, where were you employed?

Mr. EMSPAK. In the General Electric plant at Schenectady until the spring of 1936.

Mr. TAVENNER. Have any other officials of UE been barred by security officers, to your knowledge?

Mr. EMSPAK. You mean national officers?

Mr. TAVENNER. Yes.

Mr. EMSPAK. Not that I know of.

Mr. TAVENNER. That is all.

I want to recall Mr. Matles.

TESTIMONY OF JAMES J. MATLES—Recalled

Mr. TAVENNER. Mr. Matles, have you been denied the right, by security officers of the Army, Navy, or Air Force, to participate in wage negotiations between management and labor at any time?

Mr. MATLES. To participate in wage negotiations?

Mr. TAVENNER. Yes.

Mr. MATLES. How could they deny me that right?

Mr. TAVENNER. I am asking, have they?

Mr. MATLES. No.

Mr. TAVENNER. Have they denied, for security reasons, your right to visit plants?

Mr. MATLES. What do you mean, for security reasons?

Mr. TAVENNER. A security officer usually investigates individuals who have access to plants where secret or classified Government work is being done; isn't that right? I am asking you whether or not the security officers have denied you the right of access to plants?

Mr. MATLES. I don't work at any of these companies. I work for the union.

Mr. TAVENNER. You are a national officer?

Mr. MATLES. Yes.

Mr. TAVENNER. And as a national officer you have never been denied that right?

Mr. MATLES. I never visit the plants.

Mr. TAVENNER. But you are an organizer and go from place to place?

Mr. MATLES. We negotiate with General Electric and with Westinghouse, but we try to stay in the air-conditioned offices if they let us. It is more pleasant.

Mr. TAVENNER. You carry on negotiations?

Mr. MATLES. I have for 14 years. I was interested in the questions about strikes prior to Pearl Harbor and prior to 1941. I want to assure you that from January 1, 1941, for 6 months, the War Department report covering the first 6 months of 1941 showed this union as having the outstanding peaceful record of not a single strike in a single defense plant taking place; that is, from January 1, 1941, for 6 months thereafter. That is an outstanding record. That has been the record of this union prior to the war, during the war, and after the war. It has an outstanding record of peaceful relations, besides an outstanding record as a union.

Mr. TAVENNER. I am not asking about that.

Mr. MATLES. You ought to be interested in that.

Mr. TAVENNER. I am; but I want an answer to my question first.

Mr. MATLES. I did answer it; didn't I?

Mr. TAVENNER. Not fully. As an organizer, you have occasion to go to the various communities in which the work of the union is going on?

Mr. MATLES. Certainly.

Mr. TAVENNER. You are there constantly?

Mr. MATLES. I am there constantly at meetings, negotiating with the companies, and so on.

Mr. TAVENNER. I am asking you whether the security officers of the Army, Navy, or Air Corps have ever denied you clearance to go on properties where secret or classified Government work was being done?

Mr. MATLES. I am not going there. They had no occasion to, and if they had occasion to I would consider it a dirty trick if they did.

Mr. TAVENNER. So they have neither cleared nor denied you?

Mr. MATLES. The same as they have not cleared or denied you. You have never had occasion to go there. You are in the same position I am in.

Mr. TAVENNER. You were speaking about the very peaceful, fine record that your union made from January 1, 1941. I am reading now from page 106 of the report of this committee, Seventy-eighth Congress, Second Session, House Report No. 1311, on the CIO Political Action Committee:

Members of the American Peace Mobilization joined in supporting two strikes of the U. E. R. M. W. A. and aided in picketing the Pennsylvania Manufacturing Co., and the Emerson Radio Co., of Brooklyn, N. Y. (A. P. M. Volunteer, May 3,

1941, p. 4). Virgil Mason, U. E. R. M. W. A. leader at the Dohler Die Casting Co., was a member of the national council of the American Peace Mobilization.

Mr. MATLES. What is the point to that?

Mr. TAVENNER. I understood you to say your union was not involved in any strike from January 1941 for 6 months thereafter.

Mr. MATLES. The War Department's statistics showed our union was not engaged in a single strike in a single defense plant from January 1, 1941, for 6 months.

Mr. TAVENNER. Do you deny what I read to you?

Mr. MATLES. I refer to a War Department report that relates to defense plants. We didn't have 1,500 plants working on defense work. That is the distinction I am trying to impress on you.

Mr. TAVENNER. Was the Emerson Radio Co. engaged in defense work?

Mr. MATLES. In 1941?

Mr. TAVENNER. Yes.

Mr. MATLES. I don't know. I assume they weren't, or the War Department would have said so.

Mr. TAVENNER. Was the Pennsylvania Manufacturing Co. engaged in defense work?

Mr. MATLES. I assume it wasn't. It is a very small shop making transformers. By the way, I don't know the dates of those strikes.

Mr. MOULDER. Is that all of this witness?

Mr. TAVENNER. Yes. We will have other testimony relating to this general subject tomorrow. I am not asking you to stay over, but I am advising you of that fact.

Mr. MOULDER. The subcommittee stands adjourned until 10 o'clock tomorrow morning.

(Thereupon an adjournment was taken until Tuesday, December 6, 1949.)

HEARINGS REGARDING COMMUNIST INFILTRATION OF LABOR UNIONS—PART II

TUESDAY, DECEMBER 6, 1949

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON
UN-AMERICAN ACTIVITIES,
Washington, D. C.

The subcommittee of one met, pursuant to adjournment, at 11:05 a. m., in room 226, Old House Office Building, Hon. Morgan M. Moulder presiding.

Committee member present: Hon. Morgan M. Moulder.

Staff members present: Frank S. Tavenner, Jr., counsel; Courtney Owens, investigator; Benjamin Mandel, director of research; John W. Carrington, clerk; and A. S. Poore, editor.

Mr. MOULDER. The subcommittee is in session. Who is the first witness, Mr. Tavenner?

Mr. TAVENNER. Mr. Smith.

Mr. MOULDER. What is his full name?

Mr. TAVENNER. Mr. Oscar Smith.

Mr. MOULDER. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SMITH. I do.

TESTIMONY OF OSCAR SMITH, ACCOMPANIED BY BENNETT BOSKEY, DEPUTY GENERAL COUNSEL, ATOMIC ENERGY COMMISSION

Mr. TAVENNER. You are Mr. Oscar Smith?

Mr. SMITH. That is right.

Mr. TAVENNER. Are you accompanied here by the Deputy General Counsel for the Atomic Energy Commission, whose name is Mr. Bennett Boskey?

Mr. SMITH. Yes, sir.

Mr. TAVENNER. What is your official position, Mr. Smith?

Mr. SMITH. I am at present Deputy Director of Organization and Personnel. I think in some of the documents that appear in this matter my title appears as Director of Labor Relations. That was my position in the past, but my duties have recently been expanded.

Mr. TAVENNER. That is of the Atomic Energy Commission?

Mr. SMITH. That is correct.

Mr. TAVENNER. Mr. Smith, we have been engaged here in a hearing relating to the leadership in the UE union; that is, the national organization. Where there is work done at the instance of the Atomic Energy Commission in a plant in which the UE has a contract, is it

the practice of your Commission to investigate, or to bring under security regulations, the officers of the national union?

Mr. SMITH. I will have to answer that in this way: The UE has appeared as a bargaining agent in only one instance in a major atomic-energy installation.

Mr. TAVENNER. Speak a little louder, please.

Mr. SMITH. That was Schenectady. We do buy a good many supplies from various concerns all over the country. All kinds of unions, including possibly UE, may be in those suppliers' plants. They are not Government plants, however, and in those instances we have not interested ourselves in the labor relations of the suppliers.

At Schenectady we have interested ourselves and have taken certain steps in regard to bargaining with UE at that installation.

Mr. TAVENNER. What position did the Atomic Energy Commission take with regard to the bargaining agency in the instance you referred to?

Mr. SMITH. We took several steps. At the outset, as we first got into the problem, we issued a directive to the General Electric Co. to maintain the status quo and that they were not to recognize UE in a new installation that at that time had no employees, pending the time we could explore the question.

We then invited UE to clarify the question that seemed to us to exist. When they declined to do this, we felt we had no alternative than to direct General Electric to cease dealing with them at the existing plant at Schenectady.

Mr. TAVENNER. What was the name of that plant?

Mr. SMITH. In its entirety it is called the Knolls Atomic Power Laboratory.

I think I should describe our contractual and physical arrangement up there. The Manhattan Engineer District, prior to the time the Atomic Energy Commission took over, entered into a contract with General Electric Co. for certain atomic-energy work. The work involved the operation of a plant at Hanford, Wash., for the manufacture of plutonium. Included in the same contract was certain work to be performed at Schenectady. The work to be performed at Schenectady envisaged that certain new facilities would be built, and also authorized General Electric to begin work immediately at Schenectady in its own plant within restricted areas marked off within the plant.

The Manhattan District then acquired its own plant at Schenectady, the Peek Street laboratory. At the time the Atomic Energy Commission took over, the Peek Street laboratory had been acquired, but there were no operations in it. The small operation within the General Electric plant was then moved to the Peek Street laboratory.

So, at the time of our action, which covered several months in 1948, with final action on November 1, 1948, we had what was known as the Peek Street laboratory, which was a Government-owned building, fairly well isolated by itself in Schenectady; a small amount of work still going on in restricted areas in the old plant; and new facilities under construction, with some parts completed, ready to move people from Peek Street to Knolls.

Mr. TAVENNER. The employees it was proposed to use in that plant were members of what union?

Mr. SMITH. United Electrical Workers.

Mr. TAVENNER. Was the question raised by the Atomic Energy Commission as to the loyalty of members of the national organization of UE; that is, its officers?

Mr. SMITH. Well, I wouldn't say that we raised the question. The facts were that, long before that, we had established a firm policy, which had been made known in a great many ways. It had been made known in a report to the Joint Committee on Atomic Energy which we filed January 16, 1948. It was made known publicly in hearings conducted in March 1948, in which our report on labor problems was the initial exhibit. It was made known in various communications to the National Labor Relations Board. The policy was that we considered it well settled that we did have to look into the question of assuring ourselves that the people who represented employees on classified work were people loyal to the United States.

The question as to the UE came up in this way: This committee, the House Committee on Labor and Education, and a great many other organizations, had from time to time conducted certain investigations of the UE, and there was available a large amount of public information, matters of public record that concerned the associations and affiliations and loyalty of these men who headed this organization, both locally and nationally.

We felt that question had to be looked into and cleared up satisfactorily if they were to represent people at Schenectady and we were to discharge our responsibility under the Atomic Energy Act.

So, when the new plant was ready to go into operation, we directed General Electric to remain in statu quo, and said we wanted this question cleared up before there was any recognition of this union as the bargaining representative of any persons to be employed by it at the new plant.

Mr. TAVENNER. In other words, it was the policy of the Atomic Energy Commission to satisfy itself regarding the loyalty of the officers of the bargaining agency?

Mr. SMITH. That is correct. Maybe, to give you the full picture on that, I ought to give a little of the background of the situation that existed at that time.

Our industry is an industry born in secrecy. In the air of secrecy under which the industry developed, a great many problems arose. There were restrictions on meetings. Work itself was highly compartmentalized. One man was not supposed to know what the man next to him was doing.

The Manhattan Engineer District had an agreement with the Congress of Industrial Organizations, the American Federation of Labor, and the National Labor Relations Board that all questions of union recognition would be deferred in this industry until some of the more critical problems essential to the prosecution of the war were gone into.

In 1946, immediately before the Atomic Energy Commission took over, the Manhattan Engineer District decided that, on a test-tube basis, they would try permitting the organization of unions in Oak Ridge, and notice was given of that to the Congress of Industrial Organizations, the American Federation of Labor, and Mr. Herzog of the National Labor Relations Board.

The Atomic Energy Commission took over on this test-tube basis at Oak Ridge, with unions excluded at other atomic energy installations, but with a firm commitment to review the situation as far as other installations were concerned, and it was in this review that the problem at Schenectady arose.

The Commission first concluded, based on reasons probably removed from the question of UE or security or anything else, that there was a need for unions in this industry, and that we did need collective bargaining, and that if the industry was to become in the future a part of the fabric of this country, it would have to be worked out as in other industries. That was announced in letters to the Congress of Industrial Organizations, the American Federation of Labor, and atomic energy contractors.

The action at Schenectady was a dual action. On the one hand the Commission said in substance to General Electric Co.: "We are authorizing you to recognize unions. We have written to Mr. Herzog, Chairman of the National Labor Relations Board, releasing him from his agreement to postpone NLRB cases." Then we said to General Electric: "However, at Schenectady all this public information raises this question as to UE. Don't recognize them for the new installation at Schenectady until we can probe into it."

Mr. TAVENNER. So that it was and became the policy of the Atomic Energy Commission to look into the question of security as to officials of national unions having bargaining agency contracts?

Mr. SMITH. That is correct.

Mr. TAVENNER. Will you state why the Atomic Energy Commission considered it important to look into the question of security as to the officers of national bargaining agencies, such as, for example, the UE, as distinguished from those who are physically working in the plants?

Mr. SMITH. Yes. First, to answer that generally, there are a great many documents which I suppose might be looked upon as official publications of the Communist Party. One of the other congressional committees assembled a great many of them—the Foreign Affairs Committee's subcommittee under the chairmanship of Representative Bolton several years ago—which makes it clear it is an objective on the part of the Communist Party to infiltrate trade-unions: to place Communists in key positions in unions if it is possible for them to accomplish this; and in such positions, according to these official documents, to win the confidence of workers. Obviously the reason for winning the confidence of workers is so that they can use the trust that is bestowed in them, if it becomes necessary, in order to follow the dictates of the Communist Party and the party line.

Moving from that premise on, the next thing is the important part that is played all the way up the line by the various officers in positions of authority above the local. I suppose the thing that brings this home more in our own industry is the fact that we have many installations where the question of continuity of production is extremely important, not only from the standpoint of the need of production, but from technical requirements of the process.

President Truman, about a year and a half ago, appointed a committee to study this matter and to make recommendations to him. That committee consisted of three very prominent men in the labor-relations field: William H. Davis, of New York; Edwin E. Witte, of

the University of Wisconsin; and Aaron Horvitz, an arbitrator, of New York.

They wrote a report to the President which has since become what we might call the charter for labor relations in our industry. In their report they have this to say on the importance of national officers and also high-level representatives of management:

Another labor-management technique of proven value in private industry is a well-planned procedure which brings the experience and the responsibility of the very highest levels of management and labor to bear upon the settlement of all critical disputes. Procedure to this end needs to be carefully planned, so as to leave with local representatives primary responsibility for good relations at each particular installation, and yet make available in crises whatever wider experience and heightened responsibility may exist at the higher levels of management and labor, as well as the relatively detached judgment of individuals who have not themselves been directly involved in the earlier stages of the dispute. All of these considerations are made especially important in the field of atomic energy by the overwhelming responsibility to maintain continuity of production. We therefore recommend—

And this is set out and is the recommendation they have made for the industry, and it has been largely accepted:

That, fully recognizing and safeguarding the primary responsibility of local representatives for sound and stable relations at each Government-owned, privately operated atomic-energy installation, provision be made for bringing to bear upon the settlement of critical disputes all available experience and responsibility of individuals at the very highest levels of management and labor.

In short, I think it boils down to this. It is hard to find the words to express how important it is in our industry, and we believe that we have to have higher representatives of management and higher representatives of labor available to assist in resolving disputes that might result in the interruption of that continuity.

Mr. TAVENNER. Then I assume it is principally for that reason that the Atomic Energy Commission considers it vital to the national defense that the loyalty of persons occupying positions as officers of a bargaining agency be checked upon?

Mr. SMITH. That is correct. What I have touched on here is the affirmative situation. Looking at it from the other standpoint, if we actually had in these positions, as the men to whom we might have to come to resolve disputes that might result in the interruption of these terrifically important activities, representatives of a foreign power, you could have very serious adverse action instigated by them in the opposite direction.

Mr. TAVENNER. Do you recall whether or not, under the contract between UE and General Electric, the officers of UE would under any circumstances have the right of access to restricted working facilities?

Mr. SMITH. The contract covers all the GE plants. It sets up a grievance procedure applicable to all those plants. I think I should make it clear at this point that we did not feel, and there was not involved in our decision, any question of espionage or anything like that arising through any rights of inspection, because in fact we had not permitted inspection by outside parties at Schenectady.

As to the arrangement itself, I have here a copy of the contract between UE and General Electric, and the particular clause involving the investigation of grievances reads as follows:

In those cases where it is mutually agreed by management and local representatives that an inspection of the job would be helpful in settling the case, a

joint committee of local and management representatives shall be allowed to make an inspection of the job. Local representatives may include the business agent or his assistant or officers of the local.

At Schenectady the business agent is a national officer of some kind of the international, so the local and international officers up there are rather closely tied together.

Mr. TAVENNER. As the result of the policy of the Atomic Energy Commission, what action was taken at Schenectady?

Mr. SMITH. We told General Electric they were not to recognize UE at the new plant. We then invited the UE to come in and explore the question with us.

Mr. TAVENNER. What do you mean by "explore" the question?

Mr. SMITH. We said: "There is a lot of public information that raises a question in our mind. We invite you to come in, and we want certain data from you."

I think if I read a paragraph from our letter it would answer the question. We actually wrote them two letters. The first was not answered for a couple weeks, and we wrote another letter. The first letter said:

The assertions in your letter do not even begin to answer the serious question that has been raised concerning the absence in various of the UE officers of the requisite adherence and loyalty to the interests of the United States. If the officers of UE desire, the Commission will afford them every opportunity to participate in a fuller exploration of this issue. It should be understood, however, that the AEC would expect the UE officers to be prepared to give full and candid statements concerning present or past affiliations of any kind with the Communist Party or Communist-dominated organization. In addition, the same personnel data will be requested of the UE officers as has been furnished by employees and by various officers of other unions who represent employees in the atomic energy program.

That letter is dated October 6, 1948. After a couple weeks, that letter not having been answered, we wrote another on October 22, 1948.

Mr. TAVENNER. Let me interrupt you there a moment. It was your purpose merely to subject the officers of the union to the same type of a check on loyalty as were individual members who might be working in the plant. Is that a correct statement?

Mr. SMITH. Not necessarily identical. I think there is this difference: Individual members working in the plant have access to restricted data. As such, there is a standard set up that they must meet, and certain procedures which must be followed, including a special investigation by the FBI, before they are authorized to have such access. In the case of union representatives, it probably adds up this way: People very close to the local and handling the day-to-day affairs of the local may also, in order to do their job, need some access; and if that were the situation, there would be the requirement that the procedure be identical with that in the case of an employee having access.

There is no statutory requirement that we follow the procedure of FBI investigation and so forth if access to restricted data is not involved, and we would feel we had a right to adapt our procedures as warranted in the situation. Actually, we did not set up a procedure in detail here. We might have followed the identical procedure with specific employees, or we might have followed some other procedure. In fact, when they would not explore it at all, we did follow a different procedure. We just directed GE to cease bargaining

with them at Peek Street. Before we would actually deny a particular employee access to restricted data, we would probably complete the investigation and go through the full procedure.

Mr. TAVENNER. All right. I interrupted you.

Mr. SMITH. On October 22, 1948, we wrote a second letter. I will read a couple of paragraphs from it:

In my letter of October 6, the Commission proffered to the officers of UE an opportunity to participate in a resolution of this matter. Such participation, as indicated in that letter, would necessitate the furnishing by the officers of UE of the same personal data as has been furnished by all employees engaged in atomic energy work and by various officers of other unions, including full and complete statements as to their associations and affiliations.

As a matter of information there, we have a particular form which each employee fills out as the basis for the initiation of any action to investigate the loyalty question. A great many union representatives have filled that form out for us, many of whom we did not process on an FBI background investigation basis because they were not men who would have access to restricted data.

We went on and said:

The Commission wishes to emphasize that it intends to move promptly on this matter. In the event that the serious question that exists is not satisfactorily answered in the manner indicated above, the Atomic Energy Commission intends to direct the General Electric Company to withdraw and withhold recognition from the United Electrical, Radio, and Machine Workers of America as the bargaining representative of any employees engaged on work at AEC-owned or AEC-leased installations in the Schenectady area or engaged on atomic work which is defined as classified by the AEC and being performed by the General Electric Co.

* * * * *

In order that the employees who will be affected by this action may be fully advised of the facts and of the consideration given to this matter by the Commission, we are directing the General Electric Co. to place a copy of this letter in the hands of every employee engaged in classified atomic energy work at Schenectady.

Now, that letter was responded to by Mr. Fitzgerald under date of October 26, 1948, at some length. I say it was responded to. I don't mean to say by that that we considered the reply responsive. Quite the contrary. Mr. Fitzgerald expressed some views he had concerning the Atomic Energy Commission, but did not offer to explore the issue, nor did he offer to answer the questions we had asked as to affiliations of officers of this organization. Consequently, we directed the General Electric Co. to cease recognition of UE at the existing facility, Peek Street. Our directive was broad enough to include a few other minor operations at Schenectady where a few people were engaged on Commission work.

Mr. BOSKEY. I might add, the letters from which Mr. Smith has been reading are part of the public record and have been printed in the Fifth Semiannual Report of the United States Atomic Energy Commission.

Mr. SMITH. In our final letter to GE, as in our original letter to GE, we said this:

Further, we take this opportunity again to make it clear that the Commission does not object to General Electric Co. extending recognition as bargaining agent for atomic-energy workers to any labor organization whose officers have met the requisite standards in respect to full and unqualified adherence and loyalty to interests of the United States.

And, as a matter of fact, while this proceeding was going on, the National Labor Relations Board did certify a plumbers' union at Knolls. Also, the metal-trades department of the American Federation of Labor was certified at Hanford and now has a contract with the General Electric Co. at Hanford.

Mr. MOULDER. Do you mean to say all the unions other than UE agreed to follow the rules of the Atomic Energy Commission?

Mr. SMITH. I can't say all of them. We really only have two unions active in our industry. One is the metal-trades department. That includes the International Association of Machinists, which is not affiliated with the A. F. of L., but which, in the case of our industry, has joined with the metal-trades department in our plants. The other is the Chemical Workers of CIO. Both the metal-trades department and the Chemical Workers have responded to all requests we have made for submission of personal data or anything else, and have fully met whatever standards we have felt were necessary in this connection. No other union has refused. They just haven't been around our installations.

Mr. TAVENNER. That is all I want to ask you, unless you think of something else that might have a bearing on our discussion.

Mr. SMITH. I don't think of anything else.

Mr. BOSKEY. As you know, the United Electrical, Radio, and Machine Workers filed suit in the United States District Court for the District of Columbia, seeking to enjoin the action of the Commission. The district court dismissed the suit. The case is now pending in the court of appeals, and as a result of several extensions of time to file the appellant's brief, granted at the request of the United Electrical, Radio, and Machine Workers, the case is still pending and probably will be for a few months more.

Mr. TAVENNER. What specific authority is there for your taking the position that you have with regard to the requirement that officials of a union like the UE should comply with security regulations?

Mr. SMITH. I think that is a legal question.

Mr. BOSKEY. It is elaborated somewhat in the brief the Government filed in the district court. The Commission operates pursuant to statute, pursuant to the McMahon Act, the Atomic Energy Act of 1946.

Apart from any general considerations which, in the absence of statute, might enable the Government to protect itself for security reasons where classified work is involved, the Commission also has certain provisions in the statute.

Section 1 of the Atomic Energy Act of 1946 contains a very important declaration of policy, which declares that the paramount objective at all times is to assure the common defense and security. That objective is very much in the Commission's mind in all its activities.

In addition, in defining in section 1 of the act, the major programs it was the desire of Congress the Commission should carry out, the act provides for—

A program for Government control of the production, ownership, and use of fissionable material to assure the common defense and security and to insure the broadest possible exploitation of the fields.

The act also, as you know, has a provision relating to the control of information, section 10, which states:

It shall be the policy of the Commission to control the dissemination of restricted data in such a manner as to assure the common defense and security.

In other words, running throughout the entire act is this thread of common defense and security. To that the Commission must always look.

In addition, in section 4 of the act, which relates to the operation of our main production facilities for the production of fissionable material and research done in connection therewith, there is a specific provision authorizing the Commission to carry out those functions by contract. The act states that in any such contract the Commission shall insert a provision which requires the contractor to comply with all security regulations which may be prescribed by the Commission.

In view of these very pertinent parts of the Atomic Energy Act, it was the Commission's view, and the view of the Department of Justice and of the District Court of the United States for the District of Columbia, that there was ample authority in law for the action which the Commission took in this case.

Mr. MOULDER. Thank you very much for coming here. There is not the slightest doubt in the minds of the members of this committee as to the very effective and efficient manner in which the Atomic Energy Commission has protected the national security in the functions of that Commission.

As I understand, you wish to emphasize here in particular the precautions and careful work that you are doing to protect the defense and national security in connection with the officers and representatives of organized labor?

Mr. TAVENNER. That is one point. You will recall the committee undertook at the time of the Franey hearing to make a study and investigation of security measures in plants where Government classified work is being done.¹

Mr. MOULDER. You should be complimented.

Mr. TAVENNER. Colonel Barlow, please.

Mr. MOULDER. Do you solemnly swear the testimony you will give this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Colonel BARLOW. I do.

TESTIMONY OF COL. ERNEST A. BARLOW

Mr. TAVENNER. Will you state your name for the record, Colonel? Colonel BARLOW. Ernest A. Barlow.

Mr. TAVENNER. What is your official rank and position?

Colonel BARLOW. Colonel, General Staff Corps. I am Chief of the Security and Training Corps, Intelligence Division, Headquarters, Department of the Army.

Mr. TAVENNER. In functioning in that capacity, does there come under your control the matter of security measures in plants where classified or secret Government work is being done?

¹Soviet Espionage Activities in Connection With Jet Propulsion and Aircraft, June 6, 1949.

Colonel BARLOW. Policy with regard to the degree of investigation and the standards for clearances comes within the purview of my office.

Mr. TAVENNER. Will you explain the procedure that is used in your security functioning?

Colonel BARLOW. For any classified contract entered into by any procurement service of the Department of the Army, prior to entering into the contract we have a procedure for the clearance of the facility.

The key personnel—that is, the directors, officers of the company, special consultants, draftsmen, individuals of that nature—make out a personnel-security questionnaire, and thereafter these members of the company are given what we call a national-agency check. In other words, the files of the Army, Navy, Air Force, and Federal Bureau of Investigation, and in many instances the files of the Un-American Activities Committee, are used to ascertain if there is any derogatory information contained in the file about any of the key personnel. If none is found, we write a letter to the procurement service and state there is no objection, from a security standpoint, to their entering into a contract with "A" for whatever purchases they wish to make; and after that the company itself enters into an agreement with the procurement service in which it assumes responsibility for classified information in that plant and agrees not to permit the unauthorized use of this classified information.

That is pertaining to all classified contracts of whatever degree of classification entered into by the Department of the Army.

Then the question of the clearance of individual employees comes up. For secret and top secret contracts, each individual must fill out a personnel-security questionnaire, and the Army commands then investigate the individual's loyalty, integrity, discretion, and the like.

The minimum amount of investigation consists of a check of the local Army files, local Navy files, local FBI files, local police records, and the like. However, as a usual procedure, the Army commander goes further and makes a personal background investigation. In 70 percent of the cases they make a personal-background investigation. That is for secret and top secret. If they find no derogatory information, a letter of consent is issued for that particular person to be employed.

Mr. MOULDER. What do you mean by a personal-background investigation?

Colonel BARLOW. National-agency check, local-agency check, and interviews with individuals back in the home community of the individual under consideration. If the Army commander, in his investigation, discovers any derogatory information, he is not permitted to issue a letter of consent, but he refers the complete case to a board set up in the office of the Army Provost Marshal General. That board reviews the case and makes a decision.

Mr. TAVENNER. You have spoken of investigations conducted by the Army. Is there a separate procedure where the Navy and Air Force are involved, or does the Army do that work for the armed services?

Colonel BARLOW. At the moment the Army conducts investigations for both the Navy and the Army for secret and top-secret contracts. The Air Force conduct their own. At present the Navy is attempting to secure sufficient funds to set up an investigative organization that

can handle all naval classified contract work; but this was a carry-over from a wartime situation where the Secretary of the Navy delegated to the Secretary of the Army clearance of personnel on Navy contracts.

Mr. TAVENNER. In the situation where you have a bargaining agency such as, for example, the UE, in its contractual relationship with, say, General Electric, does the Army subject the officers or any of the personnel of the national union to security regulations?

Colonel BARLOW. Not by reason of the individual's union position. We only investigate them if they are going to have access to classified information in that plant.

Mr. TAVENNER. That is, if an officer of UE expects to go into the working facilities of a plant, then you would conduct an investigation?

Colonel BARLOW. If he is going to see classified information in that plant.

Mr. TAVENNER. What about the situation where he merely goes into the plant for the purpose of inspecting the job, without seeing any maps or designs of specifications?

Colonel BARLOW. He is not investigated.

Mr. TAVENNER. He is not investigated?

Colonel BARLOW. He is not investigated. At each plant the procurement service that entered into a contract with that plant has a representative, one of whose jobs is to see that the facility abides by that security agreement, and it is up to him to insure that security is maintained. We require, insofar as visitors are concerned, that the visitors be accompanied at all times on a tour of the plant to see to it that they do not see classified information.

Mr. TAVENNER. I am not speaking of a visitor in a general sense, but rather as an officer of the national organization which may be engaged in the settlement of some grievance dispute, in which case he would have the right to inspect the job under certain circumstances. Have you ever conducted a security investigation of such an officer of the national union?

Colonel BARLOW. I can't authoritatively answer that question. Actually, in my own opinion—the Army representative at that plant engaged in that contract, plus the plant management—it would seem, between the Army plant inspector and the agreement signed by the plant, that, if a union official had to see classified material in connection with his union activity, he would be investigated. However, I have no personal knowledge on that score.

Mr. TAVENNER. Aside from the right of an official of the national union to enter a classified working facility, is it the practice of the security division of the Army to conduct investigations of officers of the national union who have certain administrative duties and control over and in regard to the personnel of the union, and who have certain duties in regard to the settlement of grievances?

Colonel BARLOW. It is not the practice of the Army. As a matter of fact, I don't think the Army has authority to investigate any civilian per se unless he is working for the Army.

Mr. TAVENNER. In other words, officials of a union such as UE would not be investigated under your practice and procedure?

Colonel BARLOW. No, sir; not unless he were an employee as well as a union official.

Mr. TAVENNER. Did I understand you to say you consider you have no authority to investigate civilians?

Colonel BARLOW. It is my opinion the Department of the Army has no right to investigate any civilians unless they are employees of the Department of the Army.

Mr. TAVENNER. Then you conclude that under the regulations governing your Department you do not have authority to investigate, say, officials of UE who are not employees?

Colonel BARLOW. That is correct.

Mr. TAVENNER. Do you know of instances in which the Army, the Navy, or the Air Force are engaged or have let contracts involving secret or classified defense work to plants over which the UE has a bargaining agency contract?

Colonel BARLOW. I don't believe I can authoritatively answer that, but I am certain the Department of the Army has classified contracts with the General Electric Co.

Mr. TAVENNER. Do you have available copies of the security regulations which you could leave with this committee?

Colonel BARLOW. I have Department of the Army Memorandum No. 380-5-10, dated 2 April 1948, with two changes, which sets forth the policy with respect to the clearance of employees. I do not have the regulations regarding the facility.

Mr. TAVENNER. Could I ask you to make available to us the regulations covering the facility as well as the employees?

Colonel BARLOW. The clearance of employees and facilities at the moment is under study by the Munitions Board of the Department of Defense, and they are writing completely new policy regulations for the whole thing. I am afraid anything I would give you right now would be certainly not the thing that will be in effect 2 weeks from now. I have a copy of the old security agreement, but it is being revised along with everything else.

Mr. TAVENNER. Will you give us a copy of the revised material when the revision is completed?

Colonel BARLOW. I will.

Mr. TAVENNER. And also a copy of the old regulations?

Colonel BARLOW. I will.

Mr. MOULDER. Thank you very much for your attendance. Any further witnesses?

Mr. TAVENNER. Mr. Chairman, this concludes the testimony at this hearing. You will probably recall that various members of the committee indicated, as I suggested a moment ago, at both the open and closed session at which the Franneys were heard on June 6, 1949, that further investigation should be made of security measures in force at plants working on secret or classified Government defense projects. Further investigation has been made from time to time.

It has been developed in this hearing that certain officers of national unions which are bargaining agents under contracts with plants where secret or classified defense work is being performed are not subjected to security regulations in all cases.

The testimony introduced at this hearing discloses the duties and powers of certain officials of UE in negotiating contracts, in the adjustment of grievances, in the administration of the affairs of the union, and in the right in certain instances to inspect jobs, though located in classified working facilities.

The Atomic Energy Commission has recognized the risk involved to national security in failure to subject such officials to the same

security requirements as those normally dealing with classified material.

Mr. MOULDER. I understand they do have such rules and regulations.

Mr. TAVENNER. They do have cases where those security standards have not been met, as was the case with UE.

The Security Section of the Army rather takes the view, if I understand the testimony correctly, that it has no authority under the law to subject the officials of such an organization to any type of security standards except in instances where an official in performing his duty is required to know or to see classified material.

Without some type of security standards applying to officers of the type and character of officers in a union which has a bargaining agency contract, such officers, if actually disloyal to the United States, apparently would have opportunity to seriously jeopardize the national defense.

It is suggested, therefore, that you consider reporting this matter to the committee as a whole for its opinion as to whether additional investigation is desired, and whether it desires to make recommendations for legislative enactment.

Mr. MOULDER. As is in effect with the Atomic Energy Commission?

Mr. TAVENNER. Or something similar.

Mr. MOULDER. Is that all?

Mr. TAVENNER. That is all.

Mr. MOULDER. The committee stands adjourned.

(Thereupon the subcommittee adjourned.)

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